

JS 44 (Rev. 12/07, NJ 5/08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

TRACEY JOHNSON

DEFENDANTS

ER SOLUTIONS

(b) County of Residence of First Listed Plaintiff _____

County of Residence of First Listed Defendant _____

(c) Attorney's (Firm Name, Address, Telephone Number and Email Address)

Amy L. Bennecoff, Esquire
Kimmel & Silverman, P.C.
30 E. Butler Pike
Ambler, PA 19002
(215) 540-8888

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER/STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):
42 U.S.C.A Section 2000 et seq.; 29 U.S.C. Section 623(a); 42 U.S.C Section 1201

Brief description of cause:

Title VII, Age Discrimination in Employment Act; ADA & PHRA

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S)**

(See instructions):

JUDGE

DOCKET NUMBER

Explanation:

DATE

SIGNATURE OF ATTORNEY OF RECORD

12-23-10

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2510 Knights Road 134-04 Bensalem, PA 19020

Address of Defendant: 800 SW 37th St. Renton, WA 98057

Place of Accident, Incident or Transaction: _____

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes ☐ No ☒

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes ☐ No ☒

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes ☐ No ☒

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts

2. ☐ FELA

3. ☐ Jones Act-Personal Injury

4. ☐ Antitrust

5. ☐ Patent

6. ☐ Labor-Management Relations

7. ☐ Civil Rights

8. ☐ Habeas Corpus

9. ☐ Securities Act(s) Cases

10. ☐ Social Security Review Cases

11. ☒ All other Federal Question Cases 15 U.S.C § 1692

(Please specify)

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts

2. ☐ Airplane Personal Injury

3. ☐ Assault, Defamation

4. ☐ Marine Personal Injury

5. ☐ Motor Vehicle Personal Injury

6. ☐ Other Personal Injury (Please specify)

7. ☐ Products Liability

8. ☐ Products Liability — Asbestos

9. ☐ All other Diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Amy L Bennecoff, counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☐ Relief other than monetary damages is sought.

DATE: 12-23-10

Amy L Bennecoff
Attorney-at-Law

202745
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 12-23-10

Amy L Bennecoff
Attorney-at-Law

202745
Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Tracey Johnson

v.

ER Solutions

CIVIL ACTION

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

12-23-10
Date

Amy L. Bennecoff
Attorney-at-law

Tracey Johnson
Attorney for

215-540-8888

Telephone

877-788-2864

FAX Number

abennecoff@creditlaw.com

E-Mail Address

1 U.S.C. § 1331 grants this court original jurisdiction of all civil actions arising
2 under the laws of the United States.

3
4 3. Defendant conducts business in the Commonwealth of Pennsylvania
5 and therefore, personal jurisdiction is established.

6 4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(1).

7
8 5. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and
9 2202.

10 **PARTIES**

11 6. Plaintiff is a natural person residing in Bensalem, Pennsylvania,
12 19020.

13
14 7. Plaintiff is a "consumer" as that term is defined by 15 U.S.C. §
15 1692a(3).

16 8. Defendant is a national debt collection company with its corporate
17 headquarters located at 800 Southwest 39th Street, in Renton, Washington, 98057.

18
19 9. Defendant is a "debt collector" as that term is defined by 15 U.S.C. §
20 1692a(6), and repeatedly contacted Plaintiff in an attempt to collect a debt.

21 10. Defendant acted through its agents, employees, officers, members,
22 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,
23 representatives, and insurers.
24
25

PRELIMINARY STATEMENT

11. The Fair Debt Collection Practices Act ("FDCPA") is a comprehensive statute, which prohibits a catalog of activities in connection with the collection of debts by third parties. See 15 U.S.C. § 1692 *et seq.* The FDCPA imposes civil liability on any person or entity that violates its provisions, and establishes general standards of debt collector conduct, defines abuse, and provides for specific consumer rights. 15 U.S.C. § 1692k. The operative provisions of the FDCPA declare certain rights to be provided to or claimed by debtors, forbid deceitful and misleading practices, prohibit harassing and abusive tactics, and proscribe unfair or unconscionable conduct, both generally and in a specific list of disapproved practices.

12. In particular, the FDCPA broadly enumerates several practices considered contrary to its stated purpose, and forbids debt collectors from taking such action. The substantive heart of the FDCPA lies in three broad prohibitions. First, a "debt collector may not engage in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt." 15 U.S.C. § 1692d. Second, a "debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt." 15 U.S.C. § 1692e. And third, a "debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt." 15 U.S.C. §

1 1692f. The FDCPA is designed to protect consumers from unscrupulous
2 collectors, whether or not there exists a valid debt, broadly prohibits unfair or
3 unconscionable collection methods, conduct which harasses, oppresses or abuses
4 any debtor, and any false, deceptive or misleading statements in connection with
5 the collection of a debt.
6

7 13. In enacting the FDCPA, the United States Congress found that
8 “[t]here is abundant evidence of the use of abusive, deceptive, and unfair debt
9 collection practices by many debt collectors,” which “contribute to the number of
10 personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of
11 individual privacy.” 15 U.S.C. § 1692a. Congress additionally found existing
12 laws and procedures for redressing debt collection injuries to be inadequate to
13 protect consumers. 15 U.S.C. § 1692b.
14

15 14. Congress enacted the FDCPA to regulate the collection of consumer
16 debts by debt collectors. The express purposes of the FDCPA are to “eliminate
17 abusive debt collection practices by debt collectors, to insure that debt collectors
18 who refrain from using abusive debt collection practices are not competitively
19 disadvantaged, and to promote consistent State action to protect consumers against
20 debt collection abuses.” 15 U.S.C. § 1692e.
21
22
23
24
25

FACTUAL ALLEGATIONS

15. At all relevant times, Defendant was hired by Verizon to collect a debt from Plaintiff allegedly owed to Verizon.

16. The alleged debt at issue arose out of transactions, which were primarily for personal, family, or household purposes.

17. Beginning in or around March 2009 and continuing until May 2010, Defendant, its agents, employees, and servants, engaged in debt collection activities seeking to collect an alleged debt from Plaintiff.

18. Defendant, its employees and servants harassed the Plaintiff by making continuous calls to her home telephone number.

19. Defendant repeatedly contacted Plaintiff on her home telephone almost every day, causing Plaintiff to receive, at times, more than four (4) collection calls a day.

20. Plaintiff disputed owing the debt.

21. Then, on or around December 6, 2009, Plaintiff requested and received correspondence from Verizon showing that Plaintiff's service had been disconnected and that her final balance was "\$0.00." See Exhibit A, Plaintiff's correspondence from Verizon.

22. Plaintiff provided the information that she received from Verizon to Defendant.

1 23. Despite having been made aware that Plaintiff did not owe any
2 money, on May 19, 2010, Defendant contacted Plaintiff in an attempt to collect an
3 alleged debt owed to Verizon.
4

5 24. Plaintiff tried to explain to Defendant that Verizon had indicted that
6 no current charges where owed.
7

8 25. Defendant's response was that Plaintiff needed to take care of the debt
9 because it will go into collection.
10

11 26. To date, Plaintiff does not know how Defendant acquired the debt
12 being collected.
13

14 27. Within five (5) days of its initial contact with Plaintiff, Defendant
15 failed to send Plaintiff written correspondence notifying her of her rights to
16 dispute the debt and/or request verification of the debt.
17

18 28. As a result, Plaintiff does not know the amount of the original debt.
19

20 29. Further, Defendant has failed to provide any documentation detailing
21 the purchases, payments, interest, and late charges, if any, thereby making it
22 impossible for Plaintiff to determine whether or not she owes the alleged debt and
23 whether the alleged debt was correctly calculated.
24

25 30. Upon information and belief, Defendant sought to collect a debt from
Plaintiff despite the fact that it had no knowledge of its validity.

31. Defendant's actions in attempting to collect the alleged debt were harassing and highly deceptive.

CONSTRUCTION OF APPLICABLE LAW

32. The FDCPA is a strict liability statute. Taylor v. Perrin, Landry, deLaunay & Durand, 103 F.3d 1232 (5th Cir. 1997). "Because the Act imposes strict liability, a consumer need not show intentional conduct by the debt collector to be entitled to damages." Russell v. Equifax A.R.S., 74 F. 3d 30 (2d Cir. 1996); see also Gearing v. Check Brokerage Corp., 233 F.3d 469 (7th Cir. 2000) (holding unintentional misrepresentation of debt collector's legal status violated FDCPA); Clomon v. Jackson, 988 F. 2d 1314 (2d Cir. 1993).

33. The FDCPA is a remedial statute, and therefore must be construed liberally in favor of the debtor. Sprinkle v. SB&C Ltd., 472 F. Supp. 2d 1235 (W.D. Wash. 2006). The remedial nature of the FDCPA requires that courts interpret it liberally. Clark v. Capital Credit & Collection Services, Inc., 460 F. 3d 1162 (9th Cir. 2006). “Because the FDCPA, like the Truth in Lending Act (TILA) 15 U.S.C §1601 *et seq.*, is a remedial statute, it should be construed liberally in favor of the consumer.” Johnson v. Riddle, 305 F. 3d 1107 (10th Cir. 2002).

34. The FDCPA is to be interpreted in accordance with the “least sophisticated” consumer standard. See Jeter v. Credit Bureau, Inc., 760 F.2d 1168 (11th Cir. 1985); Graziano v. Harrison, 950 F. 2d 107 (3rd Cir. 1991); Swanson v.

1 Southern Oregon Credit Service, Inc., 869 F.2d 1222 (9th Cir. 1988). The FDCPA
2 was not “made for the protection of experts, but for the public - that vast multitude
3 which includes the ignorant, the unthinking, and the credulous, and the fact that a
4 false statement may be obviously false to those who are trained and experienced
5 does not change its character, nor take away its power to deceive others less
6 experienced.” Id. The least sophisticated consumer standard serves a dual
7 purpose in that it ensures protection of all consumers, even naive and trusting,
8 against deceptive collection practices, and protects collectors against liability for
9 bizarre or idiosyncratic interpretations of collection notices. Clomon, 988 F. 2d at
10 1318.
11
12
13

14 **COUNT I**
15 **DEFENDANT VIOLATED THE**
16 **FAIR DEBT COLLECTION PRACTICES ACT**

17 35. In its actions to collect a disputed debt, Defendant violated the
18 FDCPA in one or more of the following ways:

- 19 a. Defendant violated of the FDCPA generally;
- 20 b. Defendant violated §1692d of the FDCPA by harassing Plaintiff in
21 connection with the collection of an alleged debt;
- 22 c. Defendant violated §1692d(5) of the FDCPA, when it caused
23 Plaintiff’s telephone to ring repeatedly or continuously with the
24 intent to harass, annoy or abuse Plaintiff;
25

- d. Defendant violated §1692e of the FDCPA by using false, deceptive, or misleading representations or means in connection with the collection of a debt;
- e. Defendant violated §1692e(2) of the FDCPA by falsely representing the character, amount, or legal status of a debt;
- f. Defendant violated §1692e(10) of the FDCPA by using false representations or deceptive means to collect or attempt to collect a debt;
- g. Defendant violated §1692f of the FDCPA by using unfair and unconscionable means with Plaintiff to collect or attempt to collect a debt;
- h. Defendant violated §1692f(1) of the FDCPA by collecting an amount (including any interest, fee, charge, or expense incidental to the principal obligation);
- i. Defendant violated §1692g of the FDCPA by failing to send written notification, within five (5) days after its initial communication with Plaintiff, advising Plaintiff of her rights to dispute the debt or request verification of the debt;
- j. Defendant acted in an otherwise deceptive, unfair and unconscionable manner and failed to comply with the FDCPA.

1 WHEREFORE, Plaintiff, TRACEY JOHNSON, respectfully prays for a
2 judgment as follows:

- 3 a. All actual compensatory damages suffered pursuant to 15
4 U.S.C. § 1692k(a)(1);
5 b. Statutory damages of \$1,000.00 for the violation of the FDCPA
6 pursuant to 15 U.S.C. § 1692k(a)(2)(A);
7 c. All reasonable attorneys' fees, witness fees, court costs and
8 other litigation costs incurred by Plaintiff pursuant to 15 U.S.C.
9 § 1693k(a)(3); and
10 d. Any other relief deemed appropriate by this Honorable Court.
11

12
13 **DEMAND FOR JURY TRIAL**

14 PLEASE TAKE NOTICE that Plaintiff, TRACEY JOHNSON, demands a
15 jury trial in this case.
16

17 RESPECTFULLY SUBMITTED,

18 **KIMMEL & SILVERMAN, P.C**

19
20 DATED: 12-23-10

21 BY: 

22 Amy L. Bennecoff
23 Attorney ID # 202745
24 Kimmel & Silverman, P.C
25 30 E. Butler Pike
Ambler, PA 19335
Phone: (215) 540-8888
Facsimile 877-788-2864
Email: abennecoff@creditlaw.com

P.O. Box 33056
St. Petersburg, FL 33733-8056

verizon

*Debt collector ER Solution called
on 12-06-2009*

*****AUTO**MIXED AADC088 T19 P1 R316S

Tracey Johnson
Apt. 13-4
2500 Knights Rd
Bensalem, PA 19020-3410



Dear Valued Customer,

Recently, you disconnected your Verizon service, and we were very sorry to see you go. We really want to know: What would it take for you to reconsider your decision, and come back to Verizon?

We know you have many choices in providers, and we'd like to remind you of all that Verizon has to offer — including competitive rates, exclusive discounts and exciting promotions especially for returning customers. We have a wide range of broadband, phone and entertainment services that can easily fit your lifestyle **and your budget**, all delivered on the Network over 100 million customers rely on every day. So please call us today to learn more about what's new, and how we can help you get the most out of your communications services.

Thank you for allowing us to serve your phone, Internet and entertainment needs. **We value your business**, and we're ready to do what it takes to bring you back, and keep you satisfied.

Sincerely,

Step 2 with

Stephen Williams
Director, Marketing

P.S. Don't wait. Call **1.888.706.7544** (Mon-Fri 8am-9pm, Sat) to speak with a Verizon representative.



1.888.706.7544

It's the Network

TRACEY JOHNSON

Previous Charges

New Charges

Total New Charges Due	\$.00
------------------------------	---------------

Total-Due \$.00

- FINAL BILL -

~~Thank you for letting us serve you.~~

Pay your bill online at verizon.com/payfinaibill

Thank You for Choosing Verizon!

You can find more information about Verizon and its services at verizon.com or use our voice-prompt system at 1-800-234-2340.

Moving?

Moving? 1-866-VZ-MOVES

**One call gets you up & running!
Count on the Verizon network to make
at least one part of your move easier.
Across the street or across the nation
all you need is one call to Verizon to
set up your Internet, phone & digital
TV in your new home in no time.
Service availability varies.**



Verizon Foundation

Visit Thinkfinity.org for thousands of FREE educational resources for teachers, students, parents and the after-school community.

Questions about your bill?

Visit verizon.com or call 1-800-VERIZON (1-800-837-4966)



Account: 215 639-2523 382 94Y

210111R3DAJ
#0000695 150000005143
11-PA 1078
2136372573

121708

00000695 01 P P 0.394 EEP352A1 0003
TRACEY JOHNSON
2500 KNIGHTS RD
BLDG 134 APT 06
BENSALEM PA 19020-3410



11721506392523382604305312997991000000000000000000000000